

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MEI-LUN CHEN,

Plaintiff,

COMPLAINT

-against-

NEW YORK STATE DIVISION OF HOUSNG &
COMMUNITY RENEWAL, PAUL FULLER, ANGELIQUE
JOSEPH, JOYCE KONG and ALRITA PHILLIPS,
Defendants.
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Plaintiff by her attorney, STEPHEN C. JACKSON, ESQ., as and for the
Complaint against defendant respectfully sets forth as follows:

JURISDICTION

1. This action is brought pursuant to Section 703 Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e, et seq., 42 U.S.C. § 1981, New York State Executive Law § 296 et seq., and the Administrative Code of the City of New York.
2. Venue is proper in the Southern District since the acts and transactions complained of herein all occurred within the district.
3. Plaintiff timely filed a charge of discrimination with the Equal Employment Opportunity Commission (EEOC).
4. The EEOC issued a "Notice of Right to Sue" to plaintiff. Plaintiff's complaint was filed within ninety days of the receipt thereof.

PARTIES

5. Plaintiff, MEI-LUN CHEN, a female of Asian descent and over 40 years old, was and still is at all times herein mentioned a resident at 9 Hren Avenue, Huntington, New

York 11743.

6. Defendant , NEW YORK STATE DIVISION OF HOUSNG & COMMUNITY RENEWAL is an employer as defined by the Title VII of the Civil Rights Act of 1964, §8-102 of the Administrative Code of the City of New York as well as the Executive Law of the State of New York. Defendants' place of business was situated at 25 Beaver Street, New York, N.Y.

7. Defendant PAUL FULLER is an employee of defendant NEW YORK STATE DIVISION OF HOUSNG & COMMUNITY RENEWAL.

8. Defendant ANGELIQUE JOSEPH, is an employee of defendant NEW YORK STATE DIVISION OF HOUSNG & COMMUNITY RENEWAL.

9. Defendant ALRITA PHILLIPS is an employee of NEW YORK STATE DIVISION OF HOUSNG & COMMUNITY RENEWAL.

10. Defendant JOYCE KONG is an employee of defendant NEW YORK STATE DIVISION OF HOUSNG & COMMUNITY RENEWAL.

PRELIMINARY STATEMENT

11. This is a civil action for declaratory relief, injunctive relief, compensatory relief and punitive damages and other relief to redress discrimination in the terms and conditions of employment arising out of defendant's discriminated against plaintiff on the basis of plaintiff's national origin, sex, and age.

FACTUAL ALLEGATIONS

12. That plaintiff, a female of Taiwanese national origin over the age of 40, was

employed by defendants as a Rent Examiner on or about September 7, 2006.

13. That plaintiff was supervised by defendant Angelique Joseph, an African American female.

14. That defendant Joseph reported to Joyce Kong, a female, Chinese, Assistant Director of the Major Capital Improvement Unit.

15. That in or around October 2006, while plaintiff used the women's rest room, defendant Kong without the consent of plaintiff ogled plaintiff through a crack in the stall.

16. That plaintiff previously observed some of her female colleagues stuff toilet paper in the cracks in the stalls to prevent defendant Kong from ogling them.

17. That on or about November 17, 2006 defendant King instructed plaintiff to disregard a tenant's complaint and not forward it to the owner.

18. That defendant King further instructed plaintiff not to follow the fact sheet policy with regards to complaints of tenants. Moreover, defendant Kong instructed plaintiff not to discuss the aforesaid policy with anyone other than herself or defendant Joseph.

19. That such instructions to plaintiff violated the policy and procedures of the defendant agency.

20. That plaintiff complained to defendants that such instructions violated the policy and procedures of the defendant agency. Plaintiff questioned the fact that defendants were not using the appropriate fact sheets policy.

21. That on or about December 14, 2006 defendants unwarrantedly gave plaintiff two written memos of insubordination. Defendants subjected plaintiff to verbal abuse, scorn, ridicule, and derogatory comments regarding her national origin, age and efforts in

exposing unlawful business practices..

22. That plaintiff was subjected to the aforesaid adverse employment action in retaliation for that complaining that defendants failed to follow the appropriate policy and procedures relating to the handling of tenant complaints.

23. That on or about December 22, 2006 defendant subjected plaintiff to wrongful termination of employment in retaliation for complaining to management that she was instructed not to follow appropriate policies and procedures and because of her Taiwanese national origin.

24. That defendants discriminated against plaintiff by denying her equal terms and conditions of employment because of her national origin, sex, age, retaliation in violation of Title VII of the Civil Rights Act of 1964, Executive Law § 296 of the State of New York as well as the Administrative Code of the City of New York and have damaged plaintiff thereby.

FIRST CLAIM

25 Plaintiff repeats reiterates and realleges each and every allegation contained in paragraphs "1" through "24" of the complaint, with the same force and effect as is fully set forth herein.

26. Defendant engaged in unlawful discrimination against the plaintiff with malice or reckless indifference to plaintiff's rights in violation of Title VII of the Civil Rights Act of 1964.

27. That the reason of the foregoing, plaintiff has been damaged in the sum of FIVE MILLION (\$5,000,000.00) DOLLARS.

SECOND CLAIM

28. Plaintiff repeats, reiterates, and realleges each and every allegation contained in paragraph "1" through "27" of the complaint, with the same force and effect as is fully set forth herein.

29. Defendant, its agents servants and/or employees, willfully intentionally and purposes fully engaged in unlawful discrimination against plaintiff in violation of her rights. Moreover, defendants retaliated against plaintiff for engaging in protected activity.

30. As a result of defendants discrimination against plaintiff due to her national origin, sex, and age, plaintiff has been injured and caused to have suffered damages.

31.. That by reason of the foregoing, plaintiff has been damaged into the sum of THREE MILLION (\$3,000,000.00) DOLLARS.

THIRD CLAIM

32. Plaintiff repeats, reiterates and realleges each and every allegation in paragraph "1" through "31" of the complaint, with the same force and effect as is fully set forth herein.

33. As a result of defendant's discrimination against plaintiff, due to her national origin, sex, age, and retaliation, plaintiff has been injured and caused to have suffered damages in violation of New York State Executive Law §§ 296 and 297 as well as the Administrative Code of the City of New York.

34. That by reason of the foregoing, plaintiff has been damaged in the sum of FIVE MILLION (\$5,000,000.00) DOLLARS.

WHEREFORE, plaintiff prays that this court:

(a) On the First Cause of Action in the sum of FIVE MILLION DOLLARS (\$5,000,000.00)

(b) On the Second Cause of Action in the sum of THREE MILLION (\$3,000,000.00) DOLLARS

(c) On the Third Cause of Action in the sum of FIVE MILLION DOLLARS (\$5,000,000.00)

(d) awarding plaintiff court costs and reasonable attorney fees;

(e) declare the actions and conduct engaged in by the defendant's to be in violation of plaintiff rights;

(f) awarding such other and further relief as the Court may deem just and proper;

(g) trial by jury demanded

And for such other relief as this court deems just, equitable and proper.

DATED: New York, New York
August 15, 2007

Stephen Curtis Jackson, Esq.
Attorney for PLAINTIFF
350 Fifth Avenue, Suite 2310
New York, New York 10118
(212) 643-2394

By: S/ _____

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